

 KENTUCKY CORRECTIONS Policies and Procedures	Policy Number	Total Pages
	13.8	9
	Date Filed	Effective Date
	May 14, 2008	September 5, 2008
References/Authority KRS 196.035, 197.020, 202A.400, 218A, 241.010, 319.005 908 KAR 1:370 ACA 4-4377, 4-4396, 4-4433, 4-4437	Subject SUBSTANCE ABUSE PROGRAM	

I. DEFINITIONS

"Adjunct Staff" means an employee of Department of Corrections who works in conjunction with the Substance Abuse Program.

"AODA Programs" means Alcohol and Other Drug Abuse Programs.

"Division" means the Division of Mental Health and Substance Abuse.

"Social Service Clinician" or "SSC" means an employee of the Department of Corrections so designated by personnel specifications.

"Substance" means any illegal substance whose purpose is to have a mood altering effect and a drug as defined in KRS Chapter 218A or alcohol as defined in KRS 241.010.

"Volunteer" means a person, at least 21 years of age, who provides a service to the Department of Corrections in conjunction with the Substance Abuse Program and staff, and does not receive a salary for performing this service; a volunteer may include a practicum student and intern.

II. POLICY and PROCEDURES

A. Program Description: Substance Abuse Program

1. A core intensive program shall consist of, at a minimum, a six (6) months residential program maintained at facilities designated by Corrections. The primary intensive substance abuse program shall be coordinated by the Office of AODA Programs within the Division of Mental Health and Substance Abuse.
2. Program Components

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- a. The program shall utilize nationally identified peer driven models for the population in this particular therapeutic setting. These models shall be continuously reviewed and revised accordingly.
- b. Components may include:
 - (1) Psycho-education about chemical dependency;
 - (2) Application of a twelve (12) step model to managing chemical dependency;
 - (3) Relapse prevention strategies;
 - (4) Cognitive strategies to correct criminal thinking;
 - (5) Aftercare programming for those who have completed the program;
 - (6) Other appropriate care and components; and
 - (7) Urine drug testing of an individual participating in the core intensive substance abuse program.
- c. The Department shall maintain a zero tolerance, drug and alcohol free environment within its core intensive program. An inmate who receives a positive drug or alcohol test shall be immediately removed from the program, but may reapply. In addition to any disciplinary sanctions which may be applied to the inmate, a termination review shall be conducted by the program staff and the inmate shall be advised what he needs to do to be readmitted. This may vary for each individual based on his specific needs; the plan generally shall call for a period of drug or alcohol free testing and involvement in lower level substance abuse programming such as AA or NA meetings. Consideration of re-application to the program shall be made based upon satisfactory completion of the requirements of the termination review, availability of resources, and demonstrated compliance on the part of the inmate.
- d. Ancillary interventions

Additional mental health services shall be considered ancillary to primary drug and alcohol treatment and shall not be seen as a substitute for the substance abuse programs. These may include psychiatric treatment, individual counseling, and self-help programs, including the twelve (12) step program, and may be made available to the inmate depending upon the resources and need at each institution.

B. Program Description: Community AODA Program

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1. The community based substance abuse program for Corrections shall be coordinated by the Office of AODA Programs within the Division of Mental Health and Substance Abuse.
2. The program available within each Probation and Parole District may vary depending upon available local resources.
3. Program Components:
 - a. Treatment opportunities may include a residential program, a day program, an intensive outpatient program, an outpatient program, general aftercare, or a relapse prevention support group;
 - b. The Substance Abuse SSC within each district may conduct drug and alcohol education groups and relapse prevention and aftercare groups, in addition to monitoring contracted community based services; and
 - c. A provider holding a contract with Corrections shall drug test an offender on a random basis and shall report the results of a positive urinalysis immediately to the Probation and Parole Office.

C. Application: Substance Abuse Program

Each inmate applicant shall complete an application to the Substance Abuse Program. A completed application shall be forwarded to the appointed designee with the Office of AODA.

D. Application: Community AODA Programs

1. An offender shall access these programs by receiving a referral from the Probation and Parole Officer to the Substance Abuse SSC for an assessment and treatment recommendation.
2. A community offender shall be referred if:
 - a. He produces a positive urinalysis;
 - b. He has a documented substance abuse history; or
 - c. He is returning to the community from an institutional substance abuse program.

E. Admissions: Substance Abuse Program

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Program staff shall review the applicant's admission criteria which may include results of screening measures of drug and alcohol abuse and dependency, criminal history, time served to date, parole status, and appropriateness for intensive residential treatment.

The program shall screen out an applicant with psychological problems which may render current efforts ineffective. An applicant shall meet the following minimum eligibility requirements to gain admission to the program.

1. The applicant shall be willing to acknowledge a problem with alcohol or drugs or a combination of the two and agree to actively participate;
2. The applicant shall not have any felony detainers or pending criminal charges;
3. The applicant shall not have received a conviction on a Category 4 or above disciplinary violation within the past three (3) months prior to application. An applicant who is accepted but not yet transferred to the program shall be rejected for a disciplinary conviction. Multiple disciplinary convictions that are Category 3 or below are subject to review by program staff;
4. The applicant shall not be actively psychotic;
5. The applicant shall be likely to benefit from this form of treatment, with this determination being made by a Corrections Program Administrator;
6. Selection for admission in the Substance Abuse Program shall be made by staff conducting the program and may also include clinical interviews, review of collateral information, and other more formal assessment strategies in order to make a determination of an applicant's appropriateness for treatment;
7. The clinical data which may be considered include:
 - a. Results of screening and assessment measures;
 - b. Criminal history;
 - c. Time served to date;
 - d. History of prior interventions;
 - e. Types of substances used; and
 - f. Disciplinary history;

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8. Ultimate discretion for admission into the Substance Abuse Program shall remain with the Program Director; and
9. The applicant shall be notified by memorandum whether or not he has been admitted into the program.

F. Admissions: Community AODA Programs

An inmate with a substance abuse problem shall be matched to the appropriate level of care upon return to the community or upon his entry into probationary status.

1. The SSC responsible for coordinating substance abuse services may conduct an in-depth drug and alcohol psychosocial assessment and administer a variety of assessment instruments. The data obtained from these assessment activities shall be reviewed and a recommendation for the appropriate level of care shall be made to the supervising Probation and Parole Officer.
2. The SSC shall facilitate a referral to the appropriate community based organization responsible for providing that level of services to an offender.
3. An offender receiving parole and returning to a community setting shall have a high priority for being placed in an intensive substance abuse service.
4. In general, a community based client shall be matched to the appropriate level of treatment and shall complete all subsequent levels of care as he moves toward participation in the least intensive level of intervention, a monthly relapse prevention and aftercare group.

G. Attendance: Substance Abuse Program

1. An offender shall attend all scheduled sessions. Failure to attend may result in termination from the program.
2. Any absence shall be documented and included in progress reports.

H. Attendance: Community AODA Programs

1. An offender shall abide by the attendance policies set forth by the community provider contracted to provide the community based substance abuse program.

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2. A provider shall immediately report an unexcused absence to the designated staff person within the Probation and Parole Office.

I. Participant Evaluation: Substance Abuse Program

1. Each participant shall be evaluated by staff of the Substance Abuse Program on the following criteria:
 - a. Attendance;
 - b. Participation;
 - c. Attentiveness;
 - d. Behavior; and
 - e. Knowledge.

Each participant shall be given verbal feedback of his progress in the program and have aftercare recommendations discussed with him.

J. Participant Evaluation: Community AODA Programs

The provider shall provide the designated staff person within the Probation and Parole Office with a timely summary of an offender's participation. It may use a format agreed upon by the SSC, supervising officer, and its organization.

K. Confidentiality: All Programs

Consistent with practices within the professional mental health and substance abuse community and federal laws, information obtained in the course of an inmate's treatment shall be considered confidential. Exceptions include:

1. Program staff may release information pursuant to KRS 202A.400 if there appears to be a danger to the health and safety of an inmate, staff, or other person or a threat to the security of the institution;
2. Program staff may release information to prison and probation and parole officials regarding the fact that an inmate had a substance abuse problem in the past; and
3. Program staff may communicate information to community treatment agencies for the purpose of planning aftercare.

L. Discharge and Termination Criteria: Substance Abuse Program

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A participant of the Substance Abuse Program may be administratively discharged or terminated from the program based on the following:

1. Successful completion of all program requirements;
2. Failure to comply with program requirements;
3. Failure to comply with program, institutional, or dormitory rules which results in the issuance of a disciplinary report;
4. Placement in disciplinary or administrative segregation so that the participant is unable to attend the program;
5. Voluntary withdrawal from the program;
6. Medical reasons that preclude participation in the program;
7. Violation of attendance policy;
8. Failure to complete any other component of the treatment plan as designated by the SSC or other assigned program staff; and
9. Testing positive for drugs; This may result in immediate termination from the program.

M. Discharge and Termination from Community AODA Programs

Discharge and termination from this program shall be made after a meeting between the SSC, the provider, and the officer supervising the case. Participants of the Community AODA Program may be discharged or terminated from the program based on the following:

1. Successful completion of all program requirements;
2. Failure to comply with program requirements;
3. Voluntary withdrawal from the program;
4. Medical reasons that preclude participation;
5. Termination by the treatment provider for rule violation; and

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6. Failure to complete any other component of the treatment plan as designated by the SSC, Probation and Parole Office, or other assigned program staff.

N. Appeals of Termination from the Substance Abuse Program

1. The program participant may appeal termination from the Substance Abuse Program by submitting a written appeal to the Program Administrator of the program for the Department or the designee within seven (7) days from written receipt of the termination. The Program Administrator or the designee shall forward a written response to the program participant within twenty-one (21) days of receipt of the appeal. The decision is final.
2. If a program participant is terminated from the Substance Abuse Program, he may reapply thirty (30) days after the final termination date or at the discretion of the Program Administrator. Reapplication shall not guarantee readmission to the program.

O. Staffing: Substance Abuse Program

Administrative and program staff shall be determined by the Division of Mental Health and Substance Abuse. Security staff shall be provided by the institution housing the program.

1. The AODA Program Administrator shall oversee all residential Substance Abuse Programs.
2. The Program Administrator shall oversee the residential Substance Abuse Program and provide clinical and administrative supervision for that program.
3. The SSC assigned to the program shall conduct daily programming and perform other duties as described in personnel specifications.
4. Security staff shall abide by the security procedures of the institution housing the program.

P. Miscellaneous

1. Record Keeping
 - a. Treatment files shall be maintained separately from institutional files. The files may include:

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- (1) Application form;
 - (2) Notification of acceptance or rejection;
 - (3) Program agreement or contract;
 - (4) Progress notes;
 - (5) Psychological data and psychological reports;
 - (6) Releases of information;
 - (7) Discharge summaries or termination forms;
 - (8) Individual course work;
 - (9) Individual treatment plan;
 - (10) Individual aftercare recommendations; and
 - (11) Other relevant materials.
- b. Discharge summaries or termination forms and individual aftercare recommendation shall be placed in institutional and Central Office files.
2. Upon successful completion of the program, the participant shall be given a certificate of completion. The original shall be given to the participant and copies shall be retained in the participant's treatment file, institutional file, and Central Office file.
3. A discharge summary shall be completed and submitted to the Parole Board. A copy shall be retained in the participant's file, institutional file, and Central Office file. A copy may be sent to an appropriate source requesting the information.